

CITY OF
FREMONT
NEBRASKA PATHFINDERS

CITY COUNCIL MEETING MINUTES

February 26, 2019

REGULAR MEETING:

1. Meeting called to order. After the Pledge of Allegiance, the Mayor called the meeting of the City Council to order and stated that a copy of the open meeting law is posted continually for public inspection located near the entrance door by the agendas.
2. Roll call. Roll call showed Council Members McClain, Ellis, Bechtel, Yerger, Jensen, Jacobus, Kuhns and Legband present. 8 Council Members present.
3. Mayor comments. (There will be no discussion from the Council or the public regarding comments made by the Mayor. Should anyone have questions regarding the comments, please contact the Mayor after the meeting)

PUBLIC HEARINGS:

4. Resolution 2019-036 for One and Six Year Street Improvement Plan. Mayor Getzschman opened the public hearing. Mayor Getzschman closed the public hearing after receiving comments from the public. Council Member Legband moved, seconded by Council Member Kuhns to approve the Resolution. Ayes: McCalin, Kuhns, Bechtel, Legband, Getzschman. Nays: Ellis, Yerger, Jensen, Jacobus. Motion carried.

CONSENT AGENDA:

Moved by Council Member McClain seconded by Council Member Jensen to approve items five through seven, nine, ten and twelve of the consent agenda. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried.

5. Motion to approve February 13, 2019 through February 26, 2019 claims and authorize checks to be drawn on the proper accounts.
6. Receive quarterly financial report
7. Dispense with and approve February 12, 2019 City Council Meeting Minutes
9. Resolution 2019-035 granting the Mayor authorization to execute a two-year renewal contract with Prairie Mechanical, the library HVAC maintenance company
10. Resolution 2019-034 authorizing the Mayor to sign the Northeast Nebraska Economic Development District (NENEDD) Consultant Agreement for Construction Management for Community Development Block Grant (CDBG) 16-CD-202
12. Resolution 2019-033 approving a Farm Lease Agreement for 2019 with Keith Hoffman for properties located in Dodge and Saunders Counties

ITEMS REMOVED FROM THE CONSENT AGENDA FOR SEPARATE DISCUSSION:

8. Resolution 2019-030 approving non Class C liquor license renewals. Council Member McClain moved, seconded by Council Member Legband to approve the Resolution. Ayes: McClain, Kuhns, Yerger, Jensen, Jacobus, Legband. Abstention: Ellis, Bechtel. Motion carried.
11. Resolution 2019-037 authorize Change Order No. 1 with Gifford Realty for additional plumbing work for the Friendship Center restroom remodel. Council Member Kuhns moved, seconded by Council Member Jacobus to approve the Resolution. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried.

UNFINISHED BUSINESS: requires individual associated action

13. Ordinance 5490 Amendments regarding expansion of uses on non-standard lots, an amendment to Chapter 11 of the Fremont Municipal Code pertaining to zoning, subdivision and site development regulations (final reading). Council Member Kuhns moved, seconded by Council Member McClain to hold final reading of the Ordinance. Ayes: McClain, Ellis, Kuhns, Bechtel, Jensen, Jacobus, Legband. Nay: Yerger. Motion carried. City Clerk provided final reading of the Ordinance. Mayor Getzschman called for a final vote on the Ordinance. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Ordinance 5490 approved.
14. Ordinance 5493 amending sections of Chapter 2 of the Municipal Code to adopt public comment period (final reading). Council Member McClain moved, Seconded by Council Member Jacobus to amend the language in Section 2-103 of the Ordinance to correct language to read as listen to issues of importance from the public. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried. Council Member Jensen moved, seconded by Council Member Yerger to hold final reading of the Ordinance as amended. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried. City Clerk provided final reading. Mayor Getzschman called for a final vote on the Ordinance. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Ordinance 5493 approved.
15. Resolution 2019-007 clarifying legal description referenced in purchase agreements for the sale and conveyance of real estate owned by the City of Fremont to the Dodge County Humane Society. Council Member Jacobus moved, seconded by Council Member Jensen to receive into the record a document titled "Claim Pursuant to Nebraska Revised Statute §16-726". Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried. Council Member Jacobus moved, seconded by Council Member Yerger to receive into the record a copy of the April 10, 2018 City Council meeting agenda and minutes. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried. Council Member Kuhns moved, seconded by Council Member Legband to approve the Resolution. Ayes: McClain, Kuhns, Bechtel, Legband, Getzschman. Nays: Ellis, Yerger, Jensen, Jacobus. Motion carried.
16. Receive report for audio video proposal to upgrade and improve audio and video quality for meetings. Council Member Jensen moved, seconded by Council Member Yerger to receive the report. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried.
17. Council Member Ellis item - Resolution 2019-039 to accept the SlingStudio device video solution recommendation and authorize the City's IT Department to purchase up to \$3,000.00 of equipment necessary to facilitate video streaming of the City Council Meetings. Council Member McClain moved, seconded by Council Member Kuhns to continue the item and have a formal proposal summary by the next meeting for the Council to act on with a more complete proposal created by the IT Director to include cost, staff time, equipment in detail, and legal opinion regarding placement on YouTube or Facebook. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus, Legband. Motion carried.

NEW BUSINESS: requires individual associated action

Council Member Legband left the meeting at 9:41 p.m.

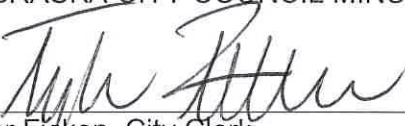
18. Resolution 2019-032 accepting and awarding the bid to BLT Plumbing, Heating & Air Conditioning, Inc. for the improvement and construction of the sanitary main for the Sanitary Sewer District No. 704-18 project. Council Member Jacobus moved, seconded by Council Member Yerger to approve the Resolution. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus. Motion carried.
19. Resolution 2019-038 approving a Local Option Economic Development Loan for \$600,000 to WLG Fremont, LLC, authorizing staff to negotiate a loan agreement, and authorizing the Mayor to sign the appropriate loan transactions. Council Member Jensen moved, seconded by Council Member Kuhns to receive into the record a letter from Dave Rippe, the Director of the Nebraska Department of Economic Development. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus. Motion carried. Council Member Jensen moved, seconded by Council Member Kuhns to approve the Resolution. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus. Motion carried.
20. Resolution 2019-031 approving Economic Enhancement Loan for \$100,000 to WLG Fremont, LLC, authorizing staff to negotiate a loan agreement, and authorizing the Mayor to sign the appropriate loan transactions. Council Member Kuhns moved, seconded by Council Member McClain to approve the Resolution. Ayes: McClain, Ellis, Kuhns, Bechtel, Yerger, Jensen, Jacobus. Motion carried.
21. Executive Session to discuss threatened or potential litigation. Moved by Council Member McClain, seconded by Council Member Kuhns to go into executive session for the purpose of discussing strategy session with regard to threatened or potential litigation and for the further reason that the executive session is necessary for the protection of the public interest. The Mayor stated a motion had been made and seconded to go into executive session for the purpose of discussing strategy session with regard to threatened or potential litigation and for the further reason that the executive session is necessary for the protection of the public interest and asked for discussion. There being none, the Mayor stated the pending motion was to go into executive session for the purpose of discussing strategy session with regard to threatened or potential litigation and for the further reason that the executive session is necessary for the protection of the public interest. Ayes: McClain, Ellis, Jensen, Bechtel, Yerger, Jacobus, Kuhns. Motion carried. The Mayor stated that there was a motion to go into executive session for the purpose of discussing strategy session with regard to threatened or potential litigation and for the further reason that the executive session is necessary for the protection of the public interest had been approved. Discussion will be limited to a strategy session with regard to threatened or potential litigation. No official actions or votes will be taken during the executive session. The Mayor stated that the executive session should include the Council Members, City Attorney and City Clerk. Time in: 10:30 p.m.

Moved by Council Member Kuhns, seconded by Council Member Jacobus to come out of executive session where no official actions or votes were taken. Ayes: McClain, Ellis, Jacobus, Jensen, Bechtel, Yerger, Kuhns. Motion carried. Time out: 10:39 p.m.
22. Adjournment. Moved by Council Member Jensen seconded by Council Member Jacobus to adjourn the meeting. Ayes: McClain, Ellis, Bechtel, Yerger, Jensen, Jacobus, Kuhns. Motion carried. Meeting adjourned at 10:40 p.m.

I, Tyler Ficken, the undersigned City Clerk, hereby certify that the foregoing is a true and correct copy of the proceedings had and done by the Mayor and Council; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the Clerk; that such agenda items were sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting; that such subjects were contained in said agenda at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by the members of the public; that the said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that this meeting was preceded by publicized notice in the Fremont Tribune and the agenda, including notice of study session, were displayed in the Municipal Building and distributed to the Mayor and Council on February 22, 2019 and is open to the public; that all news media

requesting notification concerning meeting and the subjects to be discussed at said meeting and that a current copy of the Nebraska Open Meetings Act was available and accessible to members of the public, posted during such meeting in the room in which such meeting was held.

APPROVED AND ACCEPTED THIS 12TH DAY OF MARCH AS THE OFFICIAL COPY OF THE FREMONT, NEBRASKA CITY COUNCIL MINUTES FOR FEBRUARY 26, 2019.


Tyler Ficken, City Clerk
Scott Getzschman, Mayor